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10/069,024	03/11/2002	Tatsuya Chino	112003	9086

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EXAMINER

NGUYEN, VAN KIM T

ART UNIT PAPER NUMBER

2151

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/069,024

Applicant(s)

CHINO ET AL.

Examiner

Van Kim T. Nguyen

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/25/02, 6/17/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: PTO-1449 Mail Date 2/12/04.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 101*

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 12-13 and 25-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 12, 26-30, and 39-42 recite “*A computer-readable recording medium storing a program...*”, which is not a process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, thus non-statutory subject matter.

Similarly, Claim 13, 25, and 31-38, recites “*A computer program...*”, which is not a process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, thus non-statutory subject matter.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 7-9, and 14-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Takagi et al (US 5,768,614), hereinafter Takagi.

Regarding claims 1, 7, 14, and 20, as shown in Figures 1-9, Takagi discloses an information distribution system that displays a service information provided by an information provider from a terminal on at least one of a plurality of displays (40), comprising:

a service information collector (30) that collects the service information (event state) including a display information representing specific information contents (change information) and a display designation information (screen display information) that designates the display on which the display information is displayed (col. 3: line 26-34, and col. 4: line 40 – col. 5: line 53);

a display selector (42) that selects at least one of the plurality of displays based on the display designation information collected by the service information collector (col. 3: lines 34-38); and

an information distributor (43) that distributes the display information to the display selected by the display selector (col. 3: lines 38-46).

Regarding claims 2, 8, 15, and 21, Takagi also discloses a service information processor/server (41, 42, 43, 44) that processes the service information (event state) to generate an image information (screen display information) in order to display an image on the display selected by the display selector (col. 3: lines 24-63).

Art Unit: 2151

Regarding claims 3 and 9, Takagi also discloses an information attribute collector (44, 45) that collects an information attribute (marks) of the service information,

wherein the display selector selects the display (screen display) to which the service information (event change) is distributed based on the information attribute collected by the information attribute collector (col. 3: line 42 – col. 4: line 29).

Regarding claims 16-17 and 22, Takagi also discloses a registration request distributor (41) that, when the service information is collected by the service information collector (30), distributes a request for registering a display information contained in the service information to the respective controller (col. 5: lines 6-50),

the display program executor (40) comprising: a display information finder (42) that seeks a corresponding display information from the display information stored in the display information storage (45) in response to the registration request from the registration request distributor (41); and an information transmission (46) requesting portion that requests transmission of the display information to the server when the corresponding display information is not found (e.g., the re-display is not made in case there is no state change) after searching by the display information finder (col. 10: line 24 – col. 12: line 67).

Regarding claims 18 and 23, Takagi also discloses the display program executor (40) comprising: a display information finder (42) that searches corresponding display information from the display information stored in the display information storage (45) based on the distributed display program; and an information transmission (46) requesting portion that

Art Unit: 2151

requests transmission of the display information to the server when the corresponding display information is not found (e.g., the re-display is not made in case there is no state change) after searching by the display information finder (col. 10: line 24 – col. 12: line 67).

Regarding claims 19 and 24, Takagi also discloses the display controller comprising a base contents (initial display) displaying portion that displays a predetermined base contents on the display when there is no display information based on the display program (col. 5: line 59 – col. 6: line 26).

#### ***Claim Rejections - 35 USC § 102***

Claims 1-5, 7-11, 14-16, and 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Nishiyama et al (US 6,725,460), hereinafter Nishiyama.

Regarding claims 1, 7, 14, and 20, as shown in Figures 1-9, Nishiyama discloses an information distribution system (10) that displays a service information provided by an information provider (20) from a terminal (30) on at least one of a plurality of displays (), comprising:

a service information collector (202, 204) that collects the service information (10b) including a display information representing specific information contents (10a) and a display designation information (10c) that designates the display on which the display information is displayed (col. 8: line 56-67);

Art Unit: 2151

a display selector (205) that selects at least one of the plurality of displays based on the display designation information collected by the service information collector (col. 14: lines 18-22); and

an information distributor (204) that distributes the display information to the display selected by the display selector (col. 7: lines 17-20; and col. 11: line 38 – col. 14: line 17).

Regarding claims 2, 8, 15, and 21, Nishiyama also discloses a service information processor/server (201) that processes the service information (10b) to generate an image information (10a) in order to display an image on the display selected by the display selector (col. 8: lines 23-36).

Regarding claims 3 and 9, Nishiyama also discloses an information attribute collector (204) that collects an information attribute (10c) of the service information,

wherein the display selector selects the display (30) to which the service information (10a, moving-picture-advertisement-contents) is distributed based on the information attribute collected by the information attribute collector (col. 9: lines 4-9; col. 13: line 20 – col. 14: line 17; col. 15: lines 13-27; and col. 19: lines 7-17).

Regarding claims 4 and 10, Nishiyama discloses a display location information collector (204) that collects location information of the plurality of displays (e.g., 10c including field specifying where the terminal system 30 are installed), wherein the display selector selects the display to which the service information is distributed based on the location information of the

Art Unit: 2151

display collected by the display location information collector (col. 9: lines 4-9; col. 13: line 20 – col. 14: line 17; col. 15: lines 13-27; and col. 19: lines 7-17).

Regarding claims 5, 11, and 16, Nishiyama also discloses an information storage (208, 215; col. 16: line 66 – col. 17: line 10; and col. 18: lines 26-39). Though Nishiyama does not explicitly teach the information storage stores the location information collected by the display location information collector, but since the information storage is a memory medium, inherently it can be used to store information, location information collected by the display location information collector included.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishiyama, in view of Wu (US 6,874,018).

Nishiyama discloses substantially all the claimed limitations, except the terminal is a mobile terminal.

As shown in Figures 1-7, Wu teaches a method for providing displaying visual contents to a mobile terminal (handheld computer). See abstract.



Art Unit: 2151

Both Nishiyama and Wu teach analogous arts, relating to delivering displaying multimedia contents in a distributed system, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to Wu's method of providing advertising to handheld computer in Nishiyama's distributed system, motivated by the need and availability to access information from the Internet remotely at locations away from a user's home or office.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**

Van Kim T. Nguyen  
Examiner  
Art Unit 2151

vkkn